

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:18-CR-00042-DGK-1
)	
TANISHA WILLIAMS,)	
)	
Defendant.)	

**ORDER DENYING DEFENDANT’S REQUEST TO AMEND
PRESENTENCE INVESTIGATION REPORT.**

Defendant pled guilty by agreement to filing a false claim and wire fraud in connection with a scheme to submit false tax returns to the IRS. The Court sentenced her to forty-one months’ imprisonment. Defendant is currently serving her sentence at the women’s prison camp in Greenville, Illinois.

Pending before the Court is Defendant’s pro se motion to amend her Presentence Investigation Report (“P.S.R.”) so she can participate in the Residential Drug Abuse Program (“RDAP”) (Doc. 37). Defendant reports she has been denied entrance to the program at the institutional level and at the regional level because she told the P.S.R. writer that she had never used drugs, and her criminal history does not indicate any drug use.¹ Defendant also requests the Court transfer her to the Alderson RDAP, because she feels if she were accepted into Greenville’s program, she would not be treated fairly.

The Court declines to amend Defendant’s P.S.R., direct that Defendant be accepted into the RDAP program, or otherwise instruct the Bureau of Prisons (“BOP”) on where Defendant should be housed. The Court lacks authority to determine where a prisoner serves her sentence or other aspects related to the execution of her sentence. These decisions are made by the BOP. *See* 18 U.S.C. §§

¹ Her criminal history does, however, include convictions for identify theft, forgery, and passing a bad check.

3621(b), 3624(c); *United States v. Kattom*, 619 F. App'x 569 (8th Cir. 2015) (finding the district court “lacked authority to order placement at any particular facility as the Bureau of Prisons (BOP) is solely responsible for that decision”). And any challenges to such decisions must be raised pursuant to 28 U.S.C. § 2241 and brought in the district in which the prisoner is confined or where the BOP has a central or regional office. *Mathena v. United States*, 577 F.3d 943, 946 n.3 (8th Cir. 2009).

The motion is DENIED.

Dated: May 18, 2020

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT